

REMARKS

The Office Action dated August 18, 2010 has been reviewed and carefully considered. With this amendment, claim 12 has been cancelled and new claims 15-17 have been added. Accordingly, claims 6-11 and 13-17 are now present in the application, with claims 6, 10 and 15 being the only independent claims. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 6-14 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Akashi et al. (U.S. 6,611,297) in view of Hulse et al. (U.S. 6,550,952), Herold (US 6,976,777), or Yamamoto et al. (US 2002/0131275).

Applicants respectfully disagree with, and explicitly traverse, the examiner's reason for rejecting the claims. A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Claim 10 has been amended to include the features of claim 12 (now cancelled). In particular, claim 10 now recites (with emphasis added):

10. A display apparatus with a display unit, having means for background lighting at a side or the back of the display apparatus;

characterized in that the means for background lighting comprise two illumination units being provided at the right-hand and left-hand of the display apparatus, said illumination units being formed as substantially vertically positioned, longitudinal light guides comprising means for coupling out light, each of the light guides being provided on at least one of its ends with a light source;

further characterized in that the light guides are rotatable along a longitudinal axis to thereby allow adjustment of the back light pattern, wherein
said rotation of each light guide is performed independently of any movement of the light guide's corresponding light source;

further characterized in that the means for background lighting produces a back light pattern on a wall.

Thus, claim 10 now recites the feature of previous claim 12 that the light guides are rotatable along a longitudinal axis to thereby allow adjustment of the back light pattern. Claim 10 has been further amended to recite the new feature bolded above: the rotation of each light guide is performed independently of any movement of the light guide's corresponding light source. Support for this newly added feature is found, *inter alia*, at Figs. 5 and 3A-3C where it is clearly illustrated that the light source (9) is physically distinct from the illumination unit 4 and the light guide 6 contained in that unit. Consequently, rotation of the light guide does result in any movement of the light source.

The Office Action rejection of claim 12 (Page 5, second full paragraph) points to portions of Akashi which clearly relate to the situation in which the illumination unit and the light guide are required to be rotated together. In particular, column 23, lines 10-12

(included in the citation used in the rejection) states: “The variable light direction control allows a capability of **changing the orientation of a light source** to any direction by rotation or the like” [emphasis added]. Further, the column 31, line 51 - column 33, line 5 and Fig. 13 citations to Akashi used in the rejection depict how illumination output section, item 9a, is rotated. However, earlier Akashi repeatedly describes how item 9a contains the light source. By way of example,

column 28, line 66 – column 29, line 4 states [with emphasis added]:

The illumination control section 8 has a function to perform illumination control based on the illumination control data transmitted from the image/sound reproduction section 6. The illumination control section 8 transmits data on the dimming level of **each lamp included in the illumination output section 9** to the illumination output section 9.

column 31, lines 27-35 states [with emphasis added]:

The data analysis section 16 determines illumination conditions under which the realism on the screen is enhanced, based on information on the luminance and color temperature of images measured by the sensor section 15, and transmits signals indicating the output level of **each lamp in the illumination output section 9** to the illumination control section 8. The functions of the illumination control section 8 and the illumination output section 9 are the same as those in Example 3.

Accordingly, Applicants submit that Akashi fails to teach the feature of claim 10 that the light guides are rotatable along a longitudinal axis to thereby allow adjustment of the back light pattern and that this rotation of each light guide is performed independently of any movement of the light guide’s corresponding light source.

Having shown that the combined device resulting from the teachings of the cited references does not include all the elements of the present invention, Applicants submit that the reasons for the Examiner's rejections of claim 10 has have been overcome and can no longer be sustained. Claim 6 contains features similar to that of claim 10 and is deemed patentable for at least the same reasons. Accordingly, Applicants respectfully request reconsideration, withdrawal of the rejection and allowance of independent claims 6 and 10.

Newly added claim 15 recites (with emphasis added):

A display apparatus with a display unit, having means for background lighting at a side or the back of the display apparatus to produce a back light pattern;

characterized in that the means for background lighting comprise two illumination units being provided at the right-hand and left-hand of the display apparatus, said illumination units being formed as substantially vertically positioned, longitudinal light guides comprising means for coupling out light, each of the light guides being provided on **both** ends with a light source;

wherein the display apparatus further comprises means for controlling the color of the background lighting, and a control circuit for controlling the color of each of the light sources in dependence upon a color of a part of the display unit which is close to the light source, characterized in that the display apparatus further comprises user controlled means for adjusting the wavelength and brightness of the color of the background lighting.

Support for the “bolded” feature above that both ends of each light guide contain a light source is found, *inter alia*, in Fig. 3B and the accompanying description found in paragraph [0020] of the specification as published. Support for the “underlined” features above is found, *inter alia*, in paragraphs [0025] – [0027] of the specification as published.

With respect to claim 15 Applicants submit that neither Akashi nor any of the other references cited in the Office Action contain the features of the (at least) four separate light sources which are controlled to function in the manner claimed. Accordingly, Applicants further submit that independent claim 15 is patentable over those references.

Claims 7-9, 11, 13, 14, 16 and 17 are dependent from one of the independent claims discussed above, and are believed allowable for at least the same reasons and any rejections thereof should be withdrawn. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski
Registration No. 42,079

Date: November 7, 2010

/Thomas J. Onka/
By: Thomas J. Onka
Attorney for Applicants
Registration No. 42,053

Mail all correspondence to:

Dan Piotrowski, Registration No. 42,079

US PHILIPS CORPORATION

P.O. Box 3001

Briarcliff Manor, NY 10510-8001

Phone: (914) 333-9624

Fax: (914) 332-0615